

CITY OF SANTA BARBARA CITY COUNCIL

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City Administrator

Stephen P. Wiley
City Attorney

City Hall
735 Anacapa Street
<http://www.SantaBarbaraCA.gov>

MARCH 17, 2009 AGENDA

ORDER OF BUSINESS: Regular meetings of the Finance Committee and the Ordinance Committee begin at 12:30 p.m. The regular City Council meeting begins at 2:00 p.m. in the Council Chamber at City Hall.

REPORTS: Copies of the reports relating to agenda items are available for review in the City Clerk's Office, at the Central Library, and <http://www.SantaBarbaraCA.gov>. In accordance with state law requirements, this agenda generally contains only a brief general description of each item of business to be transacted or discussed at the meeting. Should you wish more detailed information regarding any particular agenda item, you are encouraged to obtain a copy of the Council Agenda Report (a "CAR") for that item from either the Clerk's Office, the Reference Desk at the City's Main Library, or online at the City's website (<http://www.SantaBarbaraCA.gov>). Materials related to an item on this agenda submitted to the City Council after distribution of the agenda packet are available for public inspection in the City Clerk's Office located at City Hall, 735 Anacapa Street, Santa Barbara, CA 93101, during normal business hours.

PUBLIC COMMENT: At the beginning of the 2:00 p.m. session of each regular City Council meeting, and at the beginning of each special City Council meeting, any member of the public may address the City Council concerning any item not on the Council's agenda. Any person wishing to make such address should first complete and deliver a "Request to Speak" form prior to the time that public comment is taken up by the City Council. Should City Council business continue into the evening session of a regular City Council meeting at 6:00 p.m., the City Council will allow any member of the public who did not address them during the 2:00 p.m. session to do so. The total amount of time for public comments will be 15 minutes, and no individual speaker may speak for more than 1 minute. The City Council, upon majority vote, may decline to hear a speaker on the grounds that the subject matter is beyond their jurisdiction.

REQUEST TO SPEAK: A member of the public may address the Finance or Ordinance Committee or City Council regarding any scheduled agenda item. Any person wishing to make such address should first complete and deliver a "Request to Speak" form prior to the time that the item is taken up by the Finance or Ordinance Committee or City Council.

CONSENT CALENDAR: The Consent Calendar is comprised of items that will not usually require discussion by the City Council. A Consent Calendar item is open for discussion by the City Council upon request of a Councilmember, City staff, or member of the public. Items on the Consent Calendar may be approved by a single motion. Should you wish to comment on an item listed on the Consent Agenda, after turning in your "Request to Speak" form, you should come forward to speak at the time the Council considers the Consent Calendar.

AMERICANS WITH DISABILITIES ACT: In compliance with the Americans with Disabilities Act, if you need special assistance to gain access to, comment at, or participate in this meeting, please contact the City Administrator's Office at 564-5305 or inquire at the City Clerk's Office on the day of the meeting. If possible, notification at least 48 hours prior to the meeting will enable the City to make reasonable arrangements in most cases.

TELEVISION COVERAGE: Each regular City Council meeting is broadcast live in English and Spanish on City TV Channel 18 and rebroadcast in English on Wednesdays and Thursdays at 7:00 p.m. and Saturdays at 9:00 a.m., and in Spanish on Sundays at 4:00 p.m. Each televised Council meeting is closed captioned for the hearing impaired. Check the City TV program guide at www.citytv18.com for rebroadcasts of Finance and Ordinance Committee meetings, and for any changes to the replay schedule.

ORDER OF BUSINESS

- 12:00 p.m. - Special Finance Committee Meeting, David Gebhard Public Meeting Room, 630 Garden Street
- 2:00 p.m. - City Council Meeting

SPECIAL FINANCE COMMITTEE MEETING - 12:00 P.M. IN THE DAVID GEBHARD PUBLIC MEETING ROOM (120.03)

Subject: Review Of Financial And Reserve Policies

Recommendation: That the Finance Committee continue discussion of the City's financial and reserve policies and the related recommendations of the Infrastructure Financing Task Force.

REGULAR CITY COUNCIL MEETING – 2:00 P.M.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

CEREMONIAL ITEMS

1. **Subject: Proclamation Declaring March 16 - 21, 2009, As Teen Appreciation Week (120.04)**

CHANGES TO THE AGENDA

PUBLIC COMMENT

CONSENT CALENDAR

2. **Subject: Minutes**

Recommendation: That Council waive the reading and approve the minutes of the regular meeting of February 24, 2009, and the special meeting of February 27, 2009.

3. **Subject: Introduction Of Ordinance For Lease Agreement With MAG Aviation Fuel For A Self-Service Fueling Operation (330.04)**

Recommendation: That Council:

- A. Approve and authorize, contingent on approval of a zoning change, the Airport Director to execute a five-year Lease Agreement, with one five-year option, with MAG Aviation Fuel (MAG), a partnership, for operation of a self-service fueling operation at 1600 Cook Place, at the Santa Barbara Airport, for a monthly base rental of \$675 or \$0.05 per gallon fuel flowage fees, whichever is greater; and
- B. Introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving, Contingent on Approval of a Zoning Change, a Five-Year Lease Agreement, With One Five-Year Option, With MAG Aviation Fuel, a Partnership, for Operation of a Self-Service Fueling Operation at 1600 Cook Place, at the Santa Barbara Airport, Commencing Upon Construction of the Facility.

CONSENT CALENDAR (CONT'D)

4. Subject: Resolution Authorizing Submission Of A Grant Application For Stimulus Funds For Wastewater (540.13)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Authorizing the City Administrator to Submit a Financial Assistance Grant Application to the State of California Water Resources Control Board for the Planning, Design, and Construction of FOG (Fats, Oils and Grease) and Food Waste Biofuel Conversion and Headworks Screening Projects at El Estero.

5. Subject: Set A Date For Public Hearing Regarding Appeal Of Planning Commission Approval For 1900 Lasuen Road - El Encanto Hotel And Garden Villas (640.07)

Recommendation: That Council:

- A. Set the date of April 28, 2009, at 2:00 p.m. for hearing the appeal filed by Marc Chyttilo, Attorney representing Jan and Joanna von Yurt, Robert and Elizabeth Leslie, and Farrokh and Sally Nazerian of the Planning Commission approval of an application for property owned by Orient Express Hotels, Trains & Cruises and located at 1900 Lasuen Road, El Encanto Hotel and Garden Villas, Assessor's Parcel No. 019-170-022, R-2/4.0/R-H, Two Family Residential/4 Units per Acre/Resort-Residential Hotel Zones, General Plan Designation: Residential, 3 Units per Acre. The proposed project is a Revised Master Plan consisting of 1) a predominantly underground utility distribution facility and surface valet parking lot with operations facility below; 2) Mission Village, consisting of 5 cottages with valet parking garage below; 3) Cottages 27 and 28, which were previously approved and eliminated; and 4) a swimming pool with a fitness center below. The discretionary applications required for this project are various Modifications, Development Plan Approvals and a Transfer of Existing Development Rights; and
- B. Set the date of April 27, 2009, at 1:30 p.m. for a site visit to the property located at 1900 Lasuen Road.

6. Subject: Set A Date For Public Hearing Regarding Appeal Of Single Family Design Board Approval For 3455 Marina Drive (640.07)

Recommendation: That Council set the date of May 19, 2009, at 2:00 p.m. for hearing the appeal filed by Don Santee, Ronald Green, Michael Moore and Kitch Wilson, of the Single Family Design Board Final Approval with conditions of an application for property owned by the Silva Family Trust and located at 3455 Marina Drive, Assessor's Parcel No. 047-022-004, A-1/SD-3 Single Family Residence and Coastal Overlay Zones, General Plan Designation: Residential, 1 Unit per Acre. The proposed project involves construction of a one-story single-family residence including a three-car attached garage.

CONSENT CALENDAR (CONT'D)

NOTICES

7. The City Clerk has on Thursday, March 12, 2009, posted this agenda in the Office of the City Clerk, on the City Hall Public Notice Board on the outside balcony of City Hall, and on the Internet.

This concludes the Consent Calendar.

REPORT FROM THE FINANCE COMMITTEE

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

CITY ADMINISTRATOR

8. **Subject: Introduction Of Ordinances For Memorandum Of Understandings And Salary Plans For TAP Unit, Hourly Unit, Supervisors Unit, And Unrepresented Managers (Fiscal Year 2009 - Fiscal Year 2011) (440.02)**

Recommendation: That Council:

- A. Ratify the Memorandum of Understanding between the City and the Service Employees' International Union, Local 620, Airport and Harbor Patrol Officers' and Treatment Plants' Bargaining Units, for the period of October 1, 2008, through September 30, 2010, by introduction and subsequent adoption of, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Adopting the Memorandum of Understanding Between the City of Santa Barbara and the Patrol Officers' and Treatment Plants' Bargaining Units (TAP Units);
- B. Ratify the Memorandum of Understanding between the City and the Service Employees' International Union, Local 620, Hourly Employees' Bargaining Unit, for the period of November 1, 2008, through December 31, 2010, by introduction and subsequent adoption of, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Adopting a Memorandum of Understanding Between the City of Santa Barbara and the Hourly Employees' Bargaining Unit;
- C. Ratify the Memorandum of Understanding between the City and the Santa Barbara City Supervisory Employees' Bargaining Unit for the period of January 10, 2009, through January 9, 2011, by introduction and subsequent adoption of, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Adopting the Memorandum of Understanding Between the City of Santa Barbara and the Santa Barbara City Supervisory Employees' Bargaining Unit (Supervisors' Unit); and

(Cont'd)

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS (CONT'D)

CITY ADMINISTRATOR (CONT'D)

8. (Cont'd)

- D. Introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Setting Forth and Approving a Salary Plan for Unrepresented Managers and Professional Attorneys for the period of July 1, 2008, through December 31, 2010, and a Salary Plan for Sworn Fire Managers and Unrepresented Sworn Police Managers for the period of July 1, 2008, through June 30, 2010.

9. Subject: South Coast Gang Task Force Leadership Council - Designation Of City Council Representative (140.07)

Recommendation: That the Council designate the Mayor to be the City Council's representative on the Leadership Council of the South Coast Gang Task Force and the Mayor Pro Tempore as the alternate.

COUNCIL AND STAFF COMMUNICATIONS

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

CLOSED SESSIONS

10. Subject: Conference With Labor Negotiator (440.05)

Recommendation: That Council hold a closed session, per Government Code Section 54957.6 to consider instructions to City negotiator Kristy Schmidt, Employee Relations Manager, regarding negotiations with the General employees' bargaining units regarding changes to salaries and benefits contained in the existing labor agreement.

Scheduling: Duration, 45 minutes; anytime

Report: None anticipated

11. Subject: Public Employee Performance Evaluation - Government Code Section 54957 (170.01)

Recommendation: That Council hold a closed session for a Public Employee Performance Evaluation per Government Code Section 54957.

Title: City Administrator

Scheduling: Duration, 40 minutes; anytime

Report: None anticipated

ADJOURNMENT